

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Granada et al.	Examiner:	Not Yet Assigned
Serial No.:	Not Yet Assigned		
Filed:	September 26, 2003	Group Art Unit:	Not Yet Assigned
Entitled:	Apparatus and Method for Delivery of Mitomycin Through an Eluting Biocompatible Implantable Medical Device		
		Conf. No.:	Not Yet Assigned

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. US928103804US** on this date, **September 26, 2003**, postage prepaid, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§§ 1.56, 1.97 AND 1.98

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56, Applicant submits this Information Disclosure Statement pursuant to 37 CFR §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office.

A listing of the cited documents, as well as, for the Examiner's convenience, copies of all foreign patent documents and non-patent literature are enclosed. This application was filed after June 30, 2003, and copies of U.S. patents and U.S. patent applications are not required and are not enclosed.

Pursuant to CFR § 1.97(b)(3), because this Statement is being submitted before the first Office Action on the merits, no fee is required.

Applicant does not intend to represent that any of the documents submitted herein are material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicant respectfully requests that the documents submitted herein be considered and made of record in this application.

Date: September 26, 2003

Respectfully submitted,

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USPTO Form 1449 U.S. Department of Commerce Patent and Trademark Office				Attorney Docket No. 8727/2002		Serial No. Not Yet Assigned	
INFORMATION DISCLOSURE STATEMENT				Applicant(s): Granada et al.			
				Filing Date: September 26, 2003		Group: Not Yet Assigned	
U.S. PATENT DOCUMENTS							
Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
		4,642,267	February 10, 1987	Creasy et al.	428	413	May 6, 1985
		4,978,332	December 18, 1990	Luck et al.	604	19	September 28, 1987
		5,069,899	December 3, 1991	Whitbourne et al.	424	56	November 2, 1989
		5,153,252	October 6, 1992	Skora	524	372	November 29, 1991
		5,216,011	June 1, 1993	Paborji et al.	514	410	September 1, 1989
		5,286,254	February 15, 1994	Shapland et al.	604	21	August 28, 1992
		5,342,348	August 30, 1994	Kaplan	604	891.1	December 4, 1992
		5,355,832	October 18, 1994	Loh et al.	118	723M W	December 15, 1992
		5,374,739	December 20, 1994	Kaneko et al.	548	422	May 28, 1993
		5,447,799	September 15, 1995	Loh et al.	428	448	October 18, 1994
		5,449,382	September 12, 1995	Dayton	623	1.15	March 2, 1994
		5,464,650	November 7, 1995	Berg et al.	427	2.3	April 26, 1993
		5,525,348	June 11, 1996	Whitbourne et al.	424	423	November 2, 1994
		5,534,287	July 9, 1996	Lukie	427	2.25	November 29, 1994
		5,545,208	August 13, 1996	Wolff et al.	623	1.22	December 21, 1993
		5,554,182	September 10, 1996	Dinh et al.	600	36	April 27, 1995
		5,569,198	October 29, 1996	Racchini	604	103.01	January 23, 1995
		5,571,166	November 5, 1996	Dinh et al.	128	898	September 15, 1994
		5,578,075	November 26, 1996	Dayton	623	1.15	June 1, 1995
		5,591,227	January 7, 1997	Dinh et al.	623	1.22	April 27, 1995
		5,599,352	February 4, 1997	Dinh et al.	128	898	September 15, 1994
		5,609,629	March 11, 1997	Fearnot et al.	623	1.42	June 7, 1995
		5,624,411	April 29, 1997	Tuch	604	265	June 7, 1995
		5,628,730	May 13, 1997	Shapland et al.	604	21	July 18, 1994
		5,629,008	May 13, 1997	Lee	424	426	June 7, 1994
		5,679,400	October 21, 1997	Tuch	427	2.14	June 7, 1995
		5,690,670	November 25, 1997	Davidson	606	198	June 6, 1995

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U.S. PATENT DOCUMENTS							
Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
		4,642,267	February 10, 1987	Creasy et al.	428	413	May 6, 1985
		4,978,332	December 18, 1990	Luck et al.	604	19	September 28, 1987
		5,069,899	December 3, 1991	Whitbourne et al.	424	56	November 2, 1989
		5,153,252	October 6, 1992	Skora	524	372	November 29, 1991
		5,216,011	June 1, 1993	Paborji et al.	514	410	September 1, 1989
		5,286,254	February 15, 1994	Shapland et al.	604	21	August 28, 1992
		5,342,348	August 30, 1994	Kaplan	604	891.1	December 4, 1992
		5,355,832	October 18, 1994	Loh et al.	118	723M W	December 15, 1992
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		5,449,382	September 12, 1995	Dayton	623	1.15	March 2, 1994
		5,464,650	November 7, 1995	Berg et al.	427	2.3	April 26, 1993
		5,525,348	June 11, 1996	Whitbourne et al.	424	423	November 2, 1994
		5,534,287	July 9, 1996	Lukie	427	2.25	November 29, 1994
		5,545,208	August 13, 1996	Wolff et al.	623	1.22	December 21, 1993
		5,554,182	September 10, 1996	Dinh et al.	600	36	April 27, 1995
		5,569,198	October 29, 1996	Racchini	604	103.01	January 23, 1995
		5,571,166	November 5, 1996	Dinh et al.	128	898	September 15, 1994
		5,578,075	November 26, 1996	Dayton	623	1.15	June 1, 1995
		5,591,227	January 7, 1997	Dinh et al.	623	1.22	April 27, 1995
		5,599,352	February 4, 1997	Dinh et al.	128	898	September 15, 1994
		5,609,629	March 11, 1997	Fearnott et al.	623	1.42	June 7, 1995
		5,624,411	April 29, 1997	Tuch	604	265	June 7, 1995
		5,628,730	May 13, 1997	Shapland et al.	604	21	July 18, 1994
		5,629,008	May 13, 1997	Lee	424	426	June 7, 1994
		5,679,400	October 21, 1997	Tuch	427	2.14	June 7, 1995
		5,690,670	November 25, 1997	Davidson	606	198	June 6, 1995

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		5,725,567	March 10, 1998	Wolff et al.	623	1.42	April 27, 1995
		5,731,087	March 24, 1998	Fan et al.	428	412	June 7, 1995
		5,776,184	July 7, 1998	Tuch	623	1.11	October 9, 1996
		5,788,979	August 4, 1998	Alt et al.	424	426	February 10, 1997
		5,800,392	September 1, 1998	Racchini	604	103.01	May 8, 1996
		5,824,048	October 20, 1998	Tuch	128	898	October 9, 1996
		5,824,049	October 20, 1998	Ragheb et al.	623	1.44	October 31, 1996
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		5,851,217	December 22, 1998	Wolff et al.	606	191	April 27, 1995
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		5,871,535	February 16, 1999	Wolff et al.	128	898	April 27, 1995
		5,879,697	March 9, 1999	Ding et al.	424	422	April 30, 1997
		5,980,972	November 9, 1999	Ding	427	2.24	September 22, 1997
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		6,005,020	December 21, 1999	Loomis	523	105	September 2, 1998
		6,013,099	January 11, 2000	Dinh et al.	623	1.15	April 29, 1998
		6,042,875	March 28, 2000	Ding et al.	427	2.24	March 2, 1999
		6,096,070	August 1, 2000	Ragheb et al.	623	1	May 16, 1996
		6,106,454	August 22, 2000	Berg et al.	600	3	June 17, 1997
		6,110,483	August 29, 2000	Whitbourne et al.	424	423	June 23, 1997
		6,153,252	November 28, 2000	Hossainy et al.	427	2.3	April 19, 1999
		6,171,609	January 9, 2001	Kunz	424	422	October 23, 1995
		6,179,817	January 30, 2001	Zhong	604	265	January 28, 1999
		6,187,370	February 13, 2001	Dinh et al.	427	2.24	September 16, 1999
		6,197,051	March 6, 2001	Zhong	623	1.46	February 11, 1999
		6,197,320	March 6, 2001	Shalaby	424	408	June 29, 1998
		6,203,536	March 20, 2001	Berg et al.	604	500	June 17, 1997
		6,203,551	March 20, 2001	Wu	606	108	October 4, 1999
		6,273,908	August 14, 2001	Ndondo-Lay	623	1.43	October 24, 1997

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		6,316,018	November 13, 2001	Ding et al.	424	423	January 26, 2000
		6,316,522	November 13, 2001	Loomis et al.	523	105	September 13, 1999
		6,344,035	February 5, 2002	Chudzik et al.	604	265	October 20, 2000
		6,346,110	February 12, 2002	Wu	606	108	January 3, 2001
		6,358,557	March 19, 2002	Wang et al.	427	2.24	September 10, 1999
		6,364,856	April 2, 2002	Ding et al.	604	103.02	April 14, 1998
		6,368,611	April 9, 2002	Whitbourne et al.	424	411	August 31, 1999
		6,387,379	May 14, 2002	Godberg et al.	424	400	February 28, 1994
		6,399,144	June 4, 2002	Dinh et al.	427	2.24	February 12, 2001
		6,419,692	July 16, 2002	Yang et al.	623	1.15	February 3, 1999
		6,471,980	October 29, 2002	Sirhan et al.	424	423	February 13, 2001
		6,482,444	November 19, 2002	Bellantone et al.	424	618	June 14, 2000
		6,494,862	December 17, 2002	Ray et al.	604	96.01	December 30, 1999
		6,503,556	January 7, 2003	Harish et al.	427	2.24	December 28, 2000
		6,503,954	January 7, 2003	Bhat et al.	514	772.2	July 21, 2000
		6,506,437	January 14, 2003	Harish et al.	427	2.25	October 17, 2000
		6,534,693	March 18, 2003	Fischell et al.	602	43	January 31, 2001
		6,540,776	April 1, 2003	Sanders Millare et al.	623	1.15	December 28, 2000
		6,544,582	April 8, 2003	Yoe	427	2.24	January 5, 2001
		6,545,097	April 8, 2003	Pinchuk et al.	525	240	December 12, 2000
		6,569,195	May 27, 2002	Yang et al.	623	1.46	June 18, 2001
		20010001824	May 24, 2001	Wu	606	108	January 3, 2001
		20010014717	August 16, 2001	Hossainy et al.	525	60	December 28, 2000
		20010018469	August 30, 2001	Chen et al.	523	121	December 28, 2000
		20010018919	September 6, 2001	Kutzko et al.	128	898	March 26, 2001
		20010044651	November 22, 2001	Steinke et al.	623	1.16	December 14, 2000
		20010049349	December 6, 2001	Chinery et al.	514	1	February 7, 2001
		20020133224	September 19, 2002	Bajgar et al.	623	1.39	March 6, 2002
		20020055666	May 9, 2002	Hunter et al.	600	1	May 24, 2001
		20020082682	June 27, 2002	Barclay et al.	623	1.22	July 20, 2001
		20020123505	September 5, 2002	Mollison et al.	514	291	September 10, 2001

		20020123788	September 5, 2002	Sanders Millare et al.	623	1.13	December 28, 2000
		20020123801	September 5, 2002	Pacetti et al.	623	1.46	December 28, 2000
		20020155092	October 24, 2002	Leong et al.	424	78.37	March 10, 2001
		20020165423	November 7, 2002	Forman	600	3	May 7, 2001
		20020183763	December 5, 2002	Callol et al.	606	108	July 11, 2002
		20020193475	December 19, 2002	Hossainy et al.	524	113	December 23, 1999
		20030004564	January 2, 2003	Elkins et al.	623	1.15	March 11, 2003
		20030017190	January 23, 2003	Sirhan et al.	424	426	September 11, 2002
		20030027863	February 6, 2003	Cruz et al.	514	546	July 15, 2002
		20030040712	February 27, 2003	Ray et al.	604	173	October 10, 2002
		20030040790	February 27, 2003	Furst et al.	623	1.11	July 31, 2002
		20030054090	March 20, 2003	Hansen	427	2.1	September 18, 2001
		20030065382	April 3, 2003	Fischell et al.	623	1.15	October 2, 2001

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Publication Date	Country	Class	Subclass	Translation	
							YES	NO
	A	WO 03/034944	May 1, 2003	WIPO	A61F	2/06	X	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

	B	Strauss et al., "Late Effects of Locally Delivered Mitomycin C on Formation of Neointima and on Vasomotor Response to Acetylcholine", July 1994, <u>Coronary Artery Disease</u> , Vol. 5 No. 7, p. 633-641.					
EXAMINER					DATE CONSIDERED		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

**Copies of references not provided at the time of this submission.